

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

**E.F., by his next friend and parent, GINA FIGARATTO,**

**Plaintiff**

C.A. No. 05-11391GAO

**v.**

**AMERICA WEST AIRLINES, INC.,**

**Defendant**

**CERTIFICATION OF CONSULTATION**

PURSUANT TO RULE 16.4 OF THE LOCAL RULES OF THE U.S. DISTRICT COURT FOR THE EASTERN DISTRICT MASSACHUSETTS, THE UNDERSIGNED COUNSEL FOR AMERICA WEST AIRLINES, INC. AND THE UNDERSIGNED AMERICA WEST AIRLINES, INC. REPRESENTATIVE CERTIFY THAT WE HAVE CONFERRED OVER THE POTENTIAL COSTS OF LITIGATION AND LITIGATION ALTERNATIVES AND HAVE CONSIDERED RESOLUTION OF THIS LITIGATION THROUGH THE USE OF ALTERNATIVE DISPUTE RESOLUTION.

Respectfully submitted,  
American International Aviation Agency, Inc, for  
AMERICA WEST AIRLINES, INC.,

By Its Attorneys,

/s/ Linda Pickron  
Linda Pickron  
Senior Claims Representative

/s/ Carey Bertrand  
Maynard M. Kirpalani, BBO#273940  
Carey Bertrand, BBO#650496  
WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP  
155 Federal Street  
Boston, MA 02110  
(617) 422-5300

**Certificate of Service**

I, Carey Bertrand, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the NEF on January 18, 2006.

/s/ Carey Bertrand

